

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WELLS FARGO BANK, N.A., As Trustee for the
Registered Holders of Wells Fargo Bank, National
Association and for Morgan Stanley Bank of America
Merrill Lynch Trust 2013-C9, By and Through its Special
Servicer, LNR PARTNERS, LLC,

Plaintiff,

- against -

700 MILFORD HOLDINGS LLC; DAVID WERNER;
RP/HH MILFORD PLAZA GROUND TENANT, LP;
RP/HH MILFORD PLAZA LESSEE, LP; STATE OF
NEW YORK DEPARTMENT OF TAXATION AND
FINANCE; NEW YORK CITY DEPARTMENT OF
FINANCE; NEW YORK CITY CRIMINAL COURT;
NEW YORK CITY ENVIRONMENTAL CONTROL
BOARD; NEW YORK CITY WATER BOARD; “JOHN
DOES 1-100” (the latter name being fictitious but
intending to designate tenants residing at or persons having
an interest in the premises described in the Complaint
herein),

Defendants.

1:21-cv-6059-JPC

**~~[PROPOSED]~~ ORDER
DIRECTING
CANCELLATION OF THE
NOTICE OF PENDENCY**

WHEREAS, on July 15, 2021, plaintiff filed a Notice of Pendency (ECF No. 13) in connection with the above-referenced mortgage foreclosure action;

WHEREAS, by Judgment dated August 1, 2022 (ECF No. 76), this action was dismissed without prejudice;

WHEREAS, plaintiff and the borrower defendant 700 Milford Holdings LLC (“700 Milford”) are in agreement that the Notice of Pendency shall be cancelled;

NOW, UPON REQUEST of plaintiff and 700 Milford, it is hereby

ORDERED that the New York County Clerk is directed to cancel the Notice of Pendency bearing the above caption and filed in the office of the Clerk on July 22, 2021 pursuant to CPLR 6514 upon service on the Clerk of a copy of this Order.

DATED: August 9, 2022

A handwritten signature in black ink, appearing to read "John P. Cronan", is written over a horizontal line.

Hon. John P. Cronan
United States District Judge